

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Northern District of New York

UNITED STATES OF AMERICA

v.

PEREZ-VASQUEZ, Facundo
Carmenlino

Defendant.

Case No. 5:25-MJ-54 (ML)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date(s) of March 3, 2025, in the county of Oswego in the Northern District of New York the defendant violated:

Code Section

8 U.S.C. § 1326(a)

Offense Description

Facundo Carmenlino Perez-Vasquez, an alien, native and citizen of Guatemala, being an alien who has been denied admission, excluded, deported, or removed, or has departed the United States while an order of exclusion, deportation, or removal is outstanding, entered and was thereafter found in the United States without the Attorney General of the United States, or his successor, the Secretary of Homeland Security, having expressly consented to his reapplication for admission to the United States.

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.



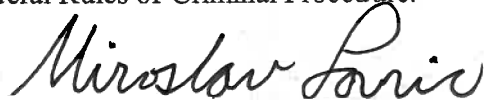
Complainant's signature

Foster Rubinstein, U.S. Border Patrol Agent

Printed name and title

Attested to by the Affiant in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.

Date: March 4, 2025



Judge's signature

City and State: Binghamton, New York

Hon. Miroslav Lovric, U.S. Magistrate Judge

Printed name and title

Continuation Sheet, United States v. Facundo Carmenlino Perez-Vasquez

On March 3, 2025, at approximately 7:15AM, the Oswego County Sheriff's Office called for assistance from United States Border Patrol via county radio for identification assistance on a stopped vehicle, on State Route 3 in Fulton, New York with four individuals. The Sheriff's Office Deputy was presented with a suspended New York State Driver's License by the driver of the vehicle. The other three individuals in the vehicle did not have any identification.

A Border Patrol Agent (BPA) arrived on scene, identified himself to the driver, and questioned him as to his status in the United States. The driver, identified as Facundo Carmenlino PEREZ-VASQUEZ, admitted to being in the United States illegally and not having any immigration documents allowing him to be in the country legally. PEREZ-VASQUEZ stated that he is a citizen of Guatemala. The BPA asked the driver about the three passengers in the vehicle, to which PEREZ-VASQUEZ responded he did not know their immigration status. The BPA then questioned the other passengers in the vehicle, Individuals-1, -2, and -3, who also admitted to being in the United States illegally. At approximately 0745 hours, PEREZ-VASQUEZ, as well as Individuals-1 and -2, were arrested and transported to the Oswego Border Patrol station for further investigation and processing. Individual-3 was not arrested due to ongoing immigration proceedings.

Upon arrival at the Oswego Border Station, PEREZ-VASQUEZ was fingerprinted, and record checks were conducted. Records checks revealed that PEREZ-VASQUEZ illegally crossed into the United States and was arrested on March 17, 1994. PEREZ-VASQUEZ was removed through Atlanta, Georgia on February 11, 2004 pursuant to an order of removal. PEREZ-VASQUEZ again illegally crossed into the United States on or about March 13, 2008 at or near Laredo, Texas. PEREZ-VASQUEZ was apprehended by Border Patrol Agents from the Oswego Border Patrol Station on October 10, 2008 and removed through New Orleans, Louisiana on December 4, 2008 pursuant to an order of removal.

PEREZ-VASQUEZ did not obtain the express consent of the Attorney General of the United States or his successor, the Secretary of Homeland Security, to reapply for admission to the United States following his removal on December 4, 2008.